

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TIMOTHY RUDOLPH WADE,)	
)	1:16-CV-698
v.)	1:03-CR-264-2
)	
UNITED STATES OF AMERICA)	

ORDER

The Magistrate Judge has filed recommendations in connection with various pending motions. Docs. 89 (motion) and 93 (recommendation); Docs. 96 and 101 (motions) and 105 (recommendation). The defendant, Timothy Wade, objected to the recommendation related to his motion at Doc. 89, *see* Doc. 95, but he did not object to the recommendation related to the motions at Docs. 96 and 101. *See* Doc. 107.

The Court has reviewed the portions of the Magistrate Judge's report to which objection was made, finds that the objections do not undermine the Magistrate Judge's analysis, and has made a de novo determination which is in accord with the Magistrate Judge's report. The Court otherwise has reviewed for clear error and finds none. Therefore, the Court adopts the Magistrate Judge's recommendations.


For the reasons stated by the Magistrate Judge, *see* Docs. 93 and 105, it is

ORDERED that:

1. The defendant's motion for downward departure based upon substantial assistance to the Government, Doc. 89, is **DENIED**.

2. The Government's motion to dismiss the defendant's motion to vacate, Doc. 101, is **GRANTED** and the motion to vacate, Doc. 96 is **DENIED** and **DISMISSED**.

This the 8th day of April, 2019.



UNITED STATES DISTRICT JUDGE